

**CERTIFICATION OF ANNUAL REGULATORY PLAN FOR 2026-2027 FOR THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**

We hereby certify:

That we have reviewed the Southwest Florida Water Management District's (District) Annual Regulatory Plan for 2026-2027, prepared in compliance with Section 120.74, F.S.; and

That the District regularly reviews all of its rules to determine if the rules remain consistent with the District's rulemaking authority and the laws implemented and conducted such a review on September 22, 2026.



JACK BISPHAM, CHAIR

CHRISTOPHER A. TUMMINIA, ESQ.
GENERAL COUNSEL

9/22/26
Date

	A	B	C	D	E	F	G
1	Exhibit 2						
2	Section 120.74(1)(a), F.S., Rulemaking						
3	Rule Section	Law(s) Implemented	Rule Title	Must the Agency Adopt Rules to Implement the Law	Is Rulemaking Necessary to Implement the Law	Has a Notice of Rule Development Been Published and, if so, the citation to Such Notice in the Florida Administrative Register	The Date by Which the Agency Expects to Publish the Notice of Proposed Rule
4							
5	Section 120.74(1)(b), F.S., Rulemaking						
6	Rule Section	Law(s) Implemented	Rule Title	Rulemaking Action	Reason for Rulemaking	Description of Changes/Additions to be Made in Rulemaking	Explain whether the rule is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules
7	40D-1.002	253.002, 373.063, 373.103, 373.149, 373.171, 373.175, 373.219, 373.223, 373.224, 373.226, 373.246, 373.308, 373.309, 373.427, F.S.	Delegation of Authority	Rule Amendment	Repeal certain revisions	Repeal unnecessary provisions.	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and improve coordination with other agencies.
8	40D-1.660	373.0361, 373.0794(a), 373.083(5), 373.114, 373.171, 373.403, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441, F.S.	Publications and Forms Incorporated by Reference	Rule Amendment	Add and Update Incorporated Material	Update to Environmental Resource Permitting Applicant's Handbook Volume II, incorporate updated publications, forms, or operating agreements.	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and improve coordination with other agencies.
9	40D-1.800	120.53, 287.055, 373.083, 373.113	Procedures for Contracting of Professional Services	Rule Amendment	Add and Update Rule	Update the process for awarding design-build contracts.	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and reduce regulatory costs.
10	40D-2.091	373.036, 373.0363, 373.042, 373.0421, 373.0794(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715 F.S.	Publications and Forms Incorporated by Reference	Rule Amendment	Add and Update Incorporated Material	Incorporate updated publications, forms, or delegation agreements.	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and improve coordination with other agencies.
11	40D-2.101	373.0363, 373.116, 373.117, 373.1175, 373.216, 373.229, 373.236, 403.0877, F.S.	Content of Application	Rule Amendment	Update Rule	Conform the rule to updated Water Use Permit Applicant's Handbook.	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and reduce regulatory costs.
12	40D-3.037	373.046, 373.103, 373.308, 373.309, 373.323, 373.333, 373.336, F.S.	Rules, Publications and Agreements Incorporated by Reference	Rule Amendment	Update Incorporated Material	Incorporate updated Water Well Construction Disciplinary Guidelines and Citations Dictionary, contingent upon rule amendments and updates by FDEP.	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and improve coordination with other agencies.
13	40D-8.041	373.036, 373.0361, 373.042, 373.0421, F.S.	Minimum Flows	Rule Amendment	Update Rule	Update references to NGVD29 and NAVD88 datum, and adopt or amend minimum flows.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency, or delete unnecessary rules.
14	40D-8.623	373.036, 373.0361, 373.0395, 373.042, 373.0421, F.S.	Minimum Wetland Levels	Rule Amendment	Update Rule	Update references to NGVD29 and NAVD88 datum, and adopt, amend, or repeal minimum levels.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency, or delete unnecessary rules.
15	40D-8.624	373.036, 373.042, 373.0421, 373.086, 373.709, F.S.	Guidance and Minimum Levels for Lakes	Rule Amendment	Update Rule	Update references to NGVD29 and NAVD88 datum, and adopt, amend, or repeal minimum levels.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency, or delete unnecessary rules.
16	40D-8.626	373.4131, F.S.	Minimum Aquifer Levels	Rule Amendment	Update Rule	Update references to NGVD29 and NAVD88 datum, and adopt, amend, or repeal minimum levels.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
17	40D-9.021	259.105, 373.1391, 373.59 FS.	Definitions	Rule Amendment	Update Rule	Update definitions to include electric bicycles and for better clarity.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
18	40D-9.120	373.1391, 373.59 FS.	Commercial Recreational Activities	Rule Amendment	Update Rule	Update process for approval of commercial recreational activities.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
19	40D-9.150	373.1391, 373.59 FS.	Equine Activities	Rule Amendment	Update Rule	Fix typographical error.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
20	40D-9.160	373.1391, 373.59 FS.	Bicycling	Rule Amendment	Update Rule	Update to include electric bicycles and for clarity.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
21	40D-9.170	373.1391, 373.59 FS.	Hunting	Rule Amendment	Update Rule	Update to address use of feeding stations and bait.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
22	40D-9.180	373.1391, 373.59 FS.	Swimming	Rule Amendment	Update Rule	Update to clarify swimming rules.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
23	40D-9.181	373.1391, 373.59 FS.	Underwater Diving	Rule Amendment	Update Rule	Update to clarify underwater diving rules.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
24	40D-9.190	373.1391, 373.59 FS.	Dogs, Cats, or Other Animals	Rule Amendment	Update Rule	Update to clarify treatment of pet behavior on District property.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
25	40D-9.191	373.1391, 373.59 FS.	Plant or Animal Removal, Destruction, or Harassment	Rule Amendment	Update Rule	Update for clarity.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
26	40D-9.210	373.1391, 373.59 FS.	Disposal or Discharge of Waste	Rule Amendment	Update Rule	Update to clarify prohibition on disposal of waste on District property.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
27	40D-9.230	373.1391, 373.59 FS.	Potentially Dangerous Equipment	Rule Amendment	Update Rule	Update clarifying use of certain potentially dangerous equipment.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
28	40D-9.260	373.1391, 373.59 FS.	Camping	Rule Amendment	Update Rule	Update to rule governing when camping is authorized and governing pet behavior in campground.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
29	40D-9.280	373.1391, 373.59 FS.	Unauthorized Facilities or Structures	Rule Amendment	Update Rule	Update to procedure for removal of unauthorized structures on District property.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
30	40D-9.290	373.1391, 373.59 FS.	Use or Possession of Alcoholic Beverages on District Lands Prohibited	Rule Amendment	Update Rule	Update clarifying procedure for approval of sale of alcoholic beverages.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
31	40D-9.330	373.1391, 373.59 FS.	Special Use Authorization	Rule Amendment	Update Rule	Updates to clarify and streamline process for issuance of special use authorizations.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.

2025-2026	40D-9.021 Definitions
2025-2026	40D-9.111 Access to and Closures of District Lands
2025-2026	40D-9.120 Commercial Recreational Activities
2025-2026	40D-9.130 Recreational Fishing
2025-2026	40D-9.131 Commercial Fishing
2025-2026	40D-9.140 Hiking
2025-2026	40D-9.150 Equine Activities
2025-2026	40D-9.160 Bicycling
2025-2026	40D-9.170 Hunting
2025-2026	40D-9.171 Trapping
2025-2026	40D-9.180 Swimming
2025-2026	40D-9.181 Underwater Diving
2025-2026	40D-9.182 Swings, Diving, and Jumping
2025-2026	40D-9.190 Dogs, Cats, or Other Animals
2025-2026	40D-9.191 Plant or Animal Removal, Destruction, or Harassment
2025-2026	40D-9.192 Introduction of Plants and Animals to District Lands
2025-2026	40D-9.200 Historic Resources Removal, Alteration, or Destruction
2025-2026	40D-9.210 Disposal or Discharge of Waste
2025-2026	40D-9.220 Destruction, Removal, or Alteration of District-Owned Facilities or Equipment
2025-2026	40D-9.230 Potentially Dangerous Equipment
2025-2026	40D-9.231 Fireworks and Explosives
2025-2026	40D-9.240 Posting or Distributing Bills
2025-2026	40D-9.250 Fires
2025-2026	40D-9.260 Camping
2025-2026	40D-9.270 Use of Motorized Vehicles, Recreational Vehicles, Boats, and Aircraft
2025-2026	40D-9.280 Unauthorized Facilities or Structures
2025-2026	40D-9.290 Use or Possession of Alcoholic Beverages on District Lands Prohibited
2026-2027	40D-9.311 Penalties
2026-2027	40D-9.320 Conflicting Rules
2026-2027	40D-9.330 Special Use Authorization
2026-2027	40D-8.011 Policy and Purpose
2026-2027	40D-8.021 Definitions
2026-2027	40D-8.031 Implementation
2026-2027	40D-8.041 Minimum Flows
2026-2027	40D-8.621 Operating Levels for Lakes with District-Owned Management Structures
2026-2027	40D-8.623 Minimum Wetland Levels
2026-2027	40D-8.624 Guidance and Minimum Levels for Lakes
2026-2027	40D-8.626 Minimum Aquifer Levels
2026-2027	40D-22.011 Policy and Purpose
2026-2027	40D-22.101 Definitions
2026-2027	40D-22.201 Year-Round Water Conservation Measures
2026-2027	40D-22.303 Variances and Waivers
2026-2027	40D-22.401 Enforcement
2026-2027	40D-21.011 Policy and Purpose
2026-2027	40D-21.051 Definitions
2026-2027	40D-21.211 Monitoring Conditions
2026-2027	40D-21.221 Evaluating Water Conditions
2026-2027	40D-21.231 Declaring a Water Shortage
2026-2027	40D-21.251 Water Shortage Phases
2026-2027	40D-21.275 Implementing a Water Shortage Declaration
2026-2027	40D-21.281 Modifying or Rescinding a Water Shortage Declaration
2026-2027	40D-21.331 Declaring a Water Shortage Emergency
2026-2027	40D-21.371 Actions During a Water Shortage Emergency
2026-2027	40D-21.391 Implementing a Water Shortage Emergency Declaration
2027-2028	40D-21.421 Enforcement
2027-2028	40D-21.511 General
2027-2028	40D-21.531 Source Classifications
2027-2028	40D-21.541 Use Classifications
2027-2028	40D-21.571 Method of Withdrawal Classifications
2027-2028	40D-21.601 General
2027-2028	40D-21.621 Phase I: Moderate Water Shortage
2027-2028	40D-21.631 Phase II: Severe Water Shortage
2027-2028	40D-21.641 Phase III: Extreme Water Shortage
2027-2028	40D-21.651 Phase IV: Critical Water Shortage
2027-2028	40D-2.011 Policy and Purpose
2027-2028	40D-2.021 Definitions
2027-2028	40D-2.041 Permits Required
2027-2028	40D-2.051 Exemptions
2027-2028	40D-2.091 Publications and Forms Incorporated by Reference
2027-2028	40D-2.101 Content of Application

2027-2028	40D-2.301 Conditions for Issuance of Permits
2027-2028	40D-2.302 Reservations from Use
2027-2028	40D-2.321 Duration of Permits
2027-2028	40D-2.331 Modification of Permits
2027-2028	40D-2.341 Revocation and Cancellation of Permits
2027-2028	40D-2.351 Transfer of Permits
2027-2028	40D-2.361 Renewal of Permits
2027-2028	40D-2.371 Ten Year Compliance Reporting
2027-2028	40D-2.381 Standard Permit Conditions
2027-2028	40D-2.401 Identification Tags
2027-2028	40D-2.501 Permit Use Types
2028-2029	40D-2.621 Water-Conserving Credits
2028-2029	40D-2.801 Water Use Caution Areas
2028-2029	40D-1.002 Delegation of Authority
2028-2029	40D-1.1001 Variances from Water Well Construction Rules
2028-2029	40D-1.1002 Variances and Waivers from Water Shortage Rules and Orders
2028-2029	40D-1.1003 Time for Consideration of a Petition for an Emergency Variance or Waiver
2028-2029	40D-1.1010 Point of Entry into Proceedings
2028-2029	40D-1.102 Definitions
2028-2029	40D-1.1022 Emergency Authorizations for Activities Regulated Under Part III Chapter 373, F.S.
2028-2029	40D-1.107 Basins
2028-2029	40D-1.140 District Funds
2028-2029	40D-1.602 Permits Required
2028-2029	40D-1.603 Permit Application Procedures
2028-2029	40D-1.6031 Authority to Transact Business
2028-2029	40D-1.6051 Timeframe for Providing Requested Information for Permit Applications and Denial of Incomplete Application
2028-2029	40D-1.607 Permit Processing Fee
2028-2029	40D-1.608 Permit Fee Reduction for Certain Counties, Municipalities, and Other Authorized Entities
2028-2029	40D-1.6105 Limiting Conditions
2028-2029	40D-1.659 Forms and Instructions
2028-2029	40D-1.660 Publications, Forms and Agreements Incorporated by Reference
2028-2029	40D-1.770 Lobbyist Registration
2028-2029	40D-3.021 Definitions
2028-2029	40D-3.032 Delegation
2028-2029	40D-3.037 Rules, Publications and Agreements Incorporated by Reference
2028-2029	40D-3.041 Permits Required
2028-2029	40D-3.042 Multiple Wells Under a Single Permit
2028-2029	40D-3.045 Water Use Permit Required
2029-2030	40D-3.051 Exemptions
2029-2030	40D-3.060 General Permit for Monitoring Wells
2029-2030	40D-3.101 Content of Application
2029-2030	40D-3.301 Conditions for Issuance of Permits
2029-2030	40D-3.310 Conditions for Transfer of Permits
2029-2030	40D-3.321 Duration of Permits
2029-2030	40D-3.341 Revocation of Permits
2029-2030	40D-3.411 Well Completion Report
2029-2030	40D-3.461 Inspections
2029-2030	40D-3.492 Violations
2029-2030	40D-3.502 Construction Methods
2029-2030	40D-3.505 Location
2029-2030	40D-3.507 Casing and Liner Pipe Standards
2029-2030	40D-3.517 Grouting and Sealing
2029-2030	40D-3.521 Well Seals
2029-2030	40D-3.531 Abandoned Well Plugging
2029-2030	40D-3.600 Special Well Construction Standards
2029-2030	40D-7.001 Policy
2029-2030	40D-7.002 Definitions
2029-2030	40D-7.003 Determination and Notice of a Material Breach of a Contract with the District
2029-2030	40D-7.004 Determination and Notice of a Contractor Suspension
2029-2030	40D-7.005 Administrative Hearings
2029-2030	40D-80.011 Policy and Purpose
2029-2030	40D-80.073 Hillsborough River Recovery Strategy
2029-2030	40D-80.074 Regulatory Portion of Recovery Strategy for the Southern Water Use Caution Area

Consumptive Use Permitting (CUP)		
1. Numbers of Applications		Units
(a)	Number of new applications received during the reporting period	487 (unitless)
(b)	Number of applications left incomplete by applicants	0 (unitless)
2. Appeals and Hearings		Units
(a)	Number of applications for which final agency action was appealed	1 (unitless)
(b)	For such applications, the number of formal hearings requested	1 (unitless)
(c)	For such applications, the number of informal hearings requested	0 (unitless)
3. Time Extensions		Units
(a)	Number of applications for which the district requested a time extension or waiver of time clock	1 (unitless)
(b)(i)	Number of applications for which the applicant requested a time extension or waiver of time clock	167 (unitless)
(b)(ii)	Of those in (b)(i), the number of applications for which an extension was required by a state agency or the judicial branch	0 (unitless)
4. Requests for Additional Information (RAIs)		Units
(a)	Number of applications which required the issuance of one or more RAIs	142 (unitless)
(b)	Number of applications where the applicant was unresponsive to one or more RAIs	0 (unitless)
5. Permit Backlog		Units
(a)	Number of applications not approved or denied within the statutory timeframe	0 (unitless)
6. Processing Times		Units
(a)	Median number of days to take final agency action after receipt of completed application	12.00 days
(b)	Average number of days to take final agency action after receipt of completed application	18.77 days
7. Staffing		Units
(a)	Number of current staff for the permit area	4.69 (unitless)

Environmental Resource Permitting (ERP)		
1. Numbers of Applications		Units
(a)	Number of new applications received during the reporting period	3491 (unitless)
(b)	Number of applications left incomplete by applicants	10 (unitless)
2. Appeals and Hearings		Units
(a)	Number of applications for which final agency action was appealed	4 (unitless)
(b)	For such applications, the number of formal hearings requested	6 (unitless)
(c)	For such applications, the number of informal hearings requested	0 (unitless)
3. Time Extensions		Units
(a)	Number of applications for which the district requested a time extension or waiver of time clock	14 (unitless)
(b)(i)	Number of applications for which the applicant requested a time extension or waiver of time clock	365 (unitless)
(b)(ii)	Of those in (b)(i), the number of applications for which an extension was required by a state agency or the judicial branch	0 (unitless)
4. Requests for Additional Information (RAIs)		Units
(a)	Number of applications which required the issuance of one or more RAIs	2417 (unitless)
(b)	Number of applications where the applicant was unresponsive to one or more RAIs	8 (unitless)
5. Permit Backlog		Units
(a)	Number of applications not approved or denied within the statutory timeframe	6 (unitless)
6. Processing Times		Units
(a)	Median number of days to take final agency action after receipt of completed application	27.00 days
(b)	Average number of days to take final agency action after receipt of completed application	26.85 days
7. Staffing		Units
(a)	Number of current staff for the permit area	37.62 (unitless)

The above data was prepared for the purposes of §120.74 (1) F.S.
Agency annual rulemaking and regulatory plans; reports. — REGULATORY PLAN.

Water Well Construction Permitting		
1. Numbers of Applications		Units
(a)	Number of new applications received during the reporting period	13165 (unitless)
(b)	Number of applications left incomplete by applicants	11 (unitless)
2. Appeals and Hearings		Units
(a)	Number of applications for which final agency action was appealed	0 (unitless)
(b)	For such applications, the number of formal hearings requested	0 (unitless)
(c)	For such applications, the number of informal hearings requested	0 (unitless)
3. Time Extensions		Units
(a)	Number of applications for which the district requested a time extension or waiver of time clock	0 (unitless)
(b)(i)	Number of applications for which the applicant requested a time extension or waiver of time clock	15 (unitless)
(b)(ii)	Of those in (b)(i), the number of applications for which an extension was required by a state agency or the judicial branch	0 (unitless)
4. Requests for Additional Information (RAIs)		Units
(a)	Number of applications which required the issuance of one or more RAIs	68 (unitless)
(b)	Number of applications where the applicant was unresponsive to one or more RAIs	1 (unitless)
5. Permit Backlog		Units
(a)	Number of applications not approved or denied within the statutory timeframe	0 (unitless)
6. Processing Times		Units
(a)	Median number of days to take final agency action after receipt of completed application	1.00 days
(b)	Average number of days to take final agency action after receipt of completed application	2.46 days
7. Staffing		Units
(a)	Number of current staff for the permit area	3.37 (unitless)

Water Well Contractor Licensing		
1. Numbers of Applications		Units
(a)	Number of new applications received during the reporting period	9 (unitless)
(b)	Number of applications left incomplete by applicants	1 (unitless)
2. Appeals and Hearings		Units
(a)	Number of applications for which final agency action was appealed	0 (unitless)
(b)	For such applications, the number of formal hearings requested	0 (unitless)
(c)	For such applications, the number of informal hearings requested	0 (unitless)
3. Time Extensions		Units
(a)	Number of applications for which the district requested a time extension or waiver of time clock	0 (unitless)
(b)(i)	Number of applications for which the applicant requested a time extension or waiver of time clock	1 (unitless)
(b)(ii)	Of those in (b)(i), the number of applications for which an extension was required by a state agency or the judicial branch	0 (unitless)
4. Requests for Additional Information (RAIs)		Units
(a)	Number of applications which required the issuance of one or more RAIs	4 (unitless)
(b)	Number of applications where the applicant was unresponsive to one or more RAIs	1 (unitless)
5. Permit Backlog		Units
(a)	Number of applications not approved or denied within the statutory timeframe	0 (unitless)
6. Processing Times		Units
(a)	Median number of days to take final agency action after receipt of completed application	15.00 days
(b)	Average number of days to take final agency action after receipt of completed application	15.00 days
7. Staffing		Units
(a)	Number of current staff for the permit area	1.00 (unitless)

Works of the District (WOD)		
1. Numbers of Applications		Units
(a)	Number of new applications received during the reporting period	0 (unitless)
(b)	Number of applications left incomplete by applicants	0 (unitless)
2. Appeals and Hearings		Units
(a)	Number of applications for which final agency action was appealed	0 (unitless)
(b)	For such applications, the number of formal hearings requested	0 (unitless)
(c)	For such applications, the number of informal hearings requested	0 (unitless)
3. Time Extensions		Units
(a)	Number of applications for which the district requested a time extension or waiver of time clock	0 (unitless)
(b)(i)	Number of applications for which the applicant requested a time extension or waiver of time clock	0 (unitless)
(b)(ii)	Of those in (b)(i), the number of applications for which an extension was required by a state agency or the judicial branch	0 (unitless)
4. Requests for Additional Information (RAIs)		Units
(a)	Number of applications which required the issuance of one or more RAIs	0 (unitless)
(b)	Number of applications where the applicant was unresponsive to one or more RAIs	0 (unitless)
5. Permit Backlog		Units
(a)	Number of applications not approved or denied within the statutory timeframe	0 (unitless)
6. Processing Times		Units
(a)	Median number of days to take final agency action after receipt of completed application	0.00 days
(b)	Average number of days to take final agency action after receipt of completed application	0.00 days
7. Staffing		Units
(a)	Number of current staff for the permit area	0.00 (unitless)

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